



Federal Communications Commission
Washington, D.C. 20554

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Federal Communications Commission
Office of the Secretary

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2134 West Laburnum Avenue
Richmond, Virginia 23227-4342

Karen Zacharia
Kathleen M. Grillo,
Verizon Virginia, Inc.
1515 North Court House Road
Arlington, Virginia 22201

Re: Arbitration of Interconnection Agreement Between Cavalier and Verizon,
WCB Docket No. 02-359

Dear Counsel:

This letter provides further guidance regarding the joint decision point list (JDPL), due September 16, 2003, and the Status Conference, scheduled for September 17, 2003.

As indicated in the August 25, 2003, Public Notice regarding procedures governing this arbitration, the decision point list shall be jointly submitted by the parties. For each unresolved issue, the JDPL shall include: (1) a summary of each party's position; (2) a listing of any disputed issues of fact; (3) relevant admissions or stipulations of fact, if any; and (4) each party's proposed contract language.

This document will be used as a decisional tool for staff. It should be structured so that staff can refer to it to remind themselves, in a summary fashion, of each party's position on an issue and the facts that support it. The parties should not fully restate the arguments that support their positions. Rather, the JDPL should present these arguments in a substantially distilled format. Please refer to the format used for the DPL documents submitted by the parties in the prior arbitration, CC Dockets Nos. 00-218, 00-249 and 00-251.

To the extent possible, the parties should summarize factual issues and stipulations within the summary discussion of their positions. We recognize that this factual matter will continue to develop during discovery and with the submission of testimony. The parties will have the opportunity to include subsequently developed material in the revised joint decision point list, which should be in the same format and is due on October 10.

So that staff may work with the JDPL document after it is submitted, the parties shall submit it electronically as a Microsoft Word document in read-only format. As with

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all other submissions in this proceeding, the electronic version of the JDPL will be in addition to the applicable requirements for filing hard copies.

The Status Conference is scheduled to take place on September 17, 2003, from 3:15 pm to 5:15 pm in the 5th Floor North Conference Room at the Federal Communications Commission.

As indicated in the August 25, 2003, Public Notice regarding procedures, at the Status Conference the parties shall raise any challenges to the appropriateness for arbitration of any remaining unresolved issues listed in the Petition for Arbitration or the Response. If such challenges are not raised at this conference, they shall be deemed waived. In addition, the following matters may be discussed: (a) simplifying or narrowing the issues; (b) obtaining admissions of fact or stipulations between the parties as to any or all of the matters in controversy; (c) settlement of some or all of the unresolved issues by agreement of the parties; (d) discovery procedures, including any mutually agreed upon limitations; (e) any scheduling issues for the remainder of the case, including the dates for any further status conferences; and (f) such other matters that may aid in resolving the unresolved issues or issuing an arbitration award.

In order to ensure a productive and orderly Status Conference meeting, no later than 4:00 pm on September 16, 2003, each party shall notify the Arbitrator (via e-mail to the established electronic distribution list) of any issues they would like considered or discussed at the Status Conference. Finally, in the prior arbitration proceeding, a court reporter was required at the initial Status Conference for the purpose of preparing a transcript of the conference. This is not necessary for this particular Status Conference; therefore we do not require the parties to arrange to have a court reporter present.

If the parties have any questions regarding this correspondence, please contact Terri Natoli at (202) 418-1574 or at Terri.Natoli@fcc.gov.

Sincerely,



Jeremy Miller
Acting Assistant Division Chief
Competition Policy Division,
Wireline Competition Bureau

cc: Richard U. Stubbs, Cavalier
Kimberly A. Newman, Counsel for Verizon